

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3294

IN THE MATTER OF:

Served February 23, 1989

Application of SCENIC SIGHTSEEING )  
TOURS, to Amend Certificate No. 92 )

Case No. AP-89-06

By application filed January 26, 1989, Scenic Sightseeing Tours (Scenic Tours or applicant), a partnership, seeks to amend its Certificate No. 92. Applicant seeks (1) to transport passengers, together with mail, express, and baggage in the same vehicle as passengers, in special operations between points in Montgomery County, MD, on the one hand, and, on the other, points in the Metropolitan District, restricted to lectured sightseeing tours; (2) to transport passengers, together with mail, express, and baggage in the same vehicle as passengers, in special operations between hotels and motels located in the District of Columbia, on the one hand, and, on the other, points in the Metropolitan District, restricted to service on a pre-arranged basis, and (3) to transport passengers as authorized by Certificate No. 92 in vehicles with a manufacturer's designed seating capacity in excess of 15 passengers. 1/

Certificate No. 92 authorizes the following transportation:

IRREGULAR ROUTES:

SPECIAL OPERATIONS, transporting passengers, restricted to lectured, round-trip sightseeing tours, from points in that part of the District of Columbia south of a line beginning at the junction of Constitution Avenue, N.W., and Rock Creek Parkway, N.W.,

---

1/ Scenic Tours' application requested the following special operations authority:

(1) Transportation in lectured Sightseeing Tours between Montgomery County and points in the Metropolitan District; (2) Transportation from hotels and motels in the District of Columbia, limited to service on a pre-arranged basis, to points in the Metropolitan District; (3) amendment of Certificate No. 92 to remove the equipment restriction.

If the description of the application contained in the opening paragraph of this order does not comport with the authority sought by applicant, Scenic Tours is advised to notify the Commission of that fact within ten days of the service date of this order.

thence along Constitution Avenue, N.W., to 17th Street, N.W., thence along 17th Street, N.W., to Pennsylvania Avenue, N.W., thence along Pennsylvania Avenue, N.W., to 10th Street, N.W., thence along 10th Street, N.W., to F Street, N.W., thence along F Street, N.W., to 9th Street, N.W., thence along 9th Street, N.W., to Pennsylvania Avenue, N.W., thence along Pennsylvania Avenue, N.W., to Constitution Avenue, N.W., thence along Constitution Avenue to its junction with 2nd Street, N.E., to Mount Vernon and Arlington National Cemetery, Va., and points in the District of Columbia, and return.

RESTRICTED to the transportation of passengers in vehicles with a manufacturer's designed seating capacity of 15 passengers or less (including the driver).

Applicant plans to conduct the proposed operations using at least one 29-passenger vehicle. <sup>2/</sup> If business warrants, Scenic Tours would also purchase a full-size motor coach. Scenic Tours proposes to offer three tours: an "All Day Tour" with a proposed per capita fare of \$45 for adults and \$22.50 for children; a "Half-Day Building Tour" with a proposed per capita fare of \$15 for adults and \$7.50 for children; and an "Observation Tour" with a proposed per capita fare of \$25 for adults and \$12.50 for children. The children's rates are applicable to children between the ages of six and nine when accompanied by an adult; children under the age of five would not be charged. Applicant did not provide a description of the sites that would be included in the tours and will be asked to provide a synopsis of each tour at hearing.

Applicant's balance sheet as of December 31, 1988, shows cash assets of \$1,127 and fixed assets minus depreciation of \$7,475. Liabilities total \$1,432 with \$7,170 in capital accounts. Scenic Tours' statement of income and expenses for the (unspecified) period ended December 31, 1988, lists gross revenues of \$47,426 and expenses of \$28,124. Applicant submitted a projection of income and expenses for 1989 which reflects \$59,075 in income and \$29,434 in expenses. It appears, however, that applicant has included a projection for its current operations. Scenic Tours will be directed to submit a projected operating statement for the first 12 months of operations which pertains to the proposed operations only, but includes allocable fixed expenses from its current operations.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, the application will be scheduled for public hearing to determine if applicant is fit, willing, and able to perform the proposed service properly and comply with the Compact and the Commission's rules and regulations and to determine whether the public convenience and

---

<sup>2/</sup> The income projection is based on revenue from a 27-passenger vehicle.

necessity require the proposed service. Applicant will be assessed an amount preliminarily estimated to cover the costs of hearing pursuant to the Compact, Title II, Article XII, Section 19.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-89-06 is hereby scheduled to commence on Thursday, April 6, 1989, at 9:30 a.m. in the Hearing Room of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104.

2. That Scenic Sightseeing Tours shall publish once in a newspaper of general circulation in the Metropolitan District, and post continuously and conspicuously in each of its vehicles through the date of public hearing, notice of the application and the hearing thereon in the form prescribed by the staff of the Commission, no later than Tuesday, March 7, 1989, and shall present at the hearing affidavits of publication and posting.

3. That any person desiring to protest the application shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard shall so notify the Commission, in writing, no later than Tuesday, March 28, 1989, and shall simultaneously serve a copy of such notice or protest on counsel for applicant, Joel C. Weingarten, Esquire, 51 Monroe Street, Suite 1500, Rockville, MD 20850.

4. That Scenic Sightseeing Tours is hereby assessed \$550 pursuant to Title II, Article XII, Section 19 of the Compact, and is directed to deliver said amount to the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Tuesday, March 28, 1989.

5. That Scenic Sightseeing Tours is hereby directed to file with the Commission a 12-month projection of revenue and revenue deductions (including allocable fixed expenses) to be generated by the proposed operations no later than Tuesday, March 28, 1989.

FOR THE COMMISSION:

  
William H. McGilver  
Executive Director

